RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Friday to be a Public Holiday for Mahomedans.

MR. M. K. KHADIR PILLAI (*Nominated*): Sir, I beg to move the following resolution:

This Council recommends to Government that Friday be declared a holiday for the Mahomedans of the State.

In moving the above resolution, it is not necessary for me to make a long speach in support of the subject, since it does not affect any financial interest of the State, nor is it calculated to offend the sentiments of any community here. What I wish to bring to the notice of this Council is a purely religious matter, and as such no lengthy discussion is required to convince the honorable members of both sides of this House of the necessity of bringing such a matter. The Mahomedans of this state are now suffering under a great difficulty, and the members will, I am sure, heartily join with me in trying to get this difficulty removed. The Mahomedans in Travancore are not in any way behind their brethren—the Hindus and the Christians—in their loyalty and devotion to His Highness' Government, and, consequently, it is nothing but just and lawful that we should receive the support of this House in a request which, if given effect to, will greatly help to contribute towards unity and friendship amongst the various communities of this liberal and progressive State. It is the duty of every civilised Government to co-operate with the subjects in their endevours to realise all their legitimate aspirations, and thereby enhance the welfare and happiness of the people whom they govern. Our noble and illustrious ruler, His Highness the Maha Raja, with such a capable and liberal-minded Minister to advise him in all matters regarding the adminstration of his State, is always ready to do anything which would be conducive to the attainment of this object.

The Hindus and Christians of this State are granted their holy days as general public holidays; for example, all New Moon days, Onam days and several other holy days of the Hindus, and all Sundays, Christmas days and Easter days of the Christians are recognised by the Government as public holidays. I assure this House that I am only glad about this concession to Hindu and Christian sentiments; but, at the same time, I am also glad to say that a few of the Mahomedan holy days are also recognised by the Government as general public holidays.

I hope that all the honorable members on both sides of this House are aware of the fact that Friday is considered by all Musalmans throughout the world as the most sacred day for them. Hence it will only be a loss of time if I attempt to make a long disquisition on the subject. My prayer is not for a general public holiday on Friday, but only that it should be declared a holiday for Mahomedans. From the following, it can be seen that my prayer is reasonable and acceptable. Religious toleration is enjoyed by every one of His Highness' subjects and hence my plea for a special privilege being granted to the Mahomedans whom I represent in this Council will, I trust, be favourably considered by my

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. M. K. Khadir Pillai.]

honorable friends. Now if this request of mine be granted, I am sure that all the Mahomedans will consider it as a great blessing, and they will be enabled to observe Fridays in the manner enjoined by their religious doctrines.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*). May I know whether all Mahomedans are obliged to attend the mosque throughout the whole day-time?

MR. M. K. KHADIR PILLAI (*Nominated*): Only at prayer time.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): At what time?

MR. M. K. KHADIR PILLAI (*Nominated*): Between 12 and 2, for two hours. But they will have to walk several miles to reach the mosque.

You all know that every grown-up male Mahomedan should attend the mosque on all Fridays for his prayers. Now, as it is, they are compelled sometimes to violate this rule, much against their will, being forced to attend law courts and other public offices on Fridays, as they cannot but comply with the orders of such courts and offices. I fully believe that the honorable members of this Council will raise no objection in recommending to the Government to have my prayer granted. I hope that it will not be out of place if I state here the underlying principles that enjoin all Mahomedans to observe Friday as a holy day. I may not be taken amiss if I quote a few lines from the Koran, our Holy Scripture, in support of my argument. In sunnat 62 of the Koran, occurs the following passage. I am afraid that the honorable members of this House, with the exception of Sahib Bahadur S. Adam Sait who is not present, do not know Arabic, and so I may give here a free translation of the same.

"All Mahomedans should suspend all their daily work as soon as they hear the vesper call, generally known as *Baunk*, and at once go to the mosque to attend the religious congregation, and remain there till the services are over. Any violation of this commandment will be visited with the divine wrath, and if any one after hearing the call continues his mundane work without attending the mosque, all his dealings will be cursed."

MR. A. HOOGEWERF (*Nominated*): At what time of the day is the call for vespers?

MR. M. K. KHADIR PILLAI (*Nominated*): It is at 12 o'clock.

In another part of the same holy book, it is stated thus:

"If any one does not attend the mosque on any Friday and go to any other place outside the parish of which he is a member, he will be cursed by the angels."

This commandment of our Prophet is now more often violated than attended to, as we are often compelled to attend courts and cutcheries situated far away from our mosques, in obedience to the various orders of Government officials. The only remedy for this deplorable state of affairs consists in our being granted Friday as a holiday. Again, in another part of our sacred book, it is definitely said thus:

LIBRARY ARCHIVES Kerala Legislative Assembly

"The number of Mahomedans required to form a congregation in a mosque in any place on Friday is forty, who are permanent residents under the jurisdiction of the mosque where their houses are situated. If this number could not be obtained by the absence of any one, the full service cannot be gone through, and the man who causes this obstruction will be held responsible before God for the non-performance of the service and he will get double punishment for his fault."

The necessity for our compulsory attendance in the mosque of our own parish can be clearly seen from the following:

"If anyone attends any other mosque than his own on any Friday, he will not be counted as one among the forty who should attend that mosque, and though he is permitted to join others in their services, he cannot be expected to have complied with the stipulations of the Koran".

Hence it is absolutely necessary that he must, under all circumstances, attend his own mosque on Friday for prayers. This doctrine of our religion is as important as any other found in the Koran.

There are many more passages in our Holy Book to be mentioned in connection with the sacredness of Friday, but I shall confine myself with quoting two more passages:

"God is with him who obeys his commandments and also with those who help him in discharging his religious duties".

Again:

"He who does not strictly obey the commandments of God, is certainly accursed and will have to undergo the divine punishment".

The above are some of the many doctrines contained in our sacred book, and every true Mahomedan is bound to act up to those principles.

Now I hope that the honorable members are convinced how aggrieved the Mahomedans are at present and how they are often compelled to act against their religious feelings and precepts.

MR. M. R. MADHAVA VARIAR (*Chengannur cum Pattanamtitta*): May I know whether Mahomedans are compelled to attend cutcheries and schools on Friday afternoons at present?

MR. M. K. KHADIR PILLAI (*Nominated*): They are compelled to attend not only in the afternoons but at all times.

MR. A. HOOGEWERF (*Nominated*): Does the Koran say that schoolboys should attend the mosque?

MR. M. K. KHADIR PILLAI (*Nominated*): They are not compelled.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know if this resolution of Mr. Khadir Pillai covers the case of convicts in prisons as well as under-trial prisoners?

MR. M. K. KHADIR PILLAI (*Nominated*): If Government grant that concession to them also, it will be welcome.

I admit that there are certain difficulties to be met with in granting my prayer. These difficulties can be easily avoided by adjusting official business in such a manner that the presence of any Mahomedan in any public office may be conveniently required either on Thursday

LIBRARY ARCHIVES Kerala Legislative Assembly

[Rao Bahadur K. A. Krishna Aiyangar.]

or on Saturday. If such an arrangement be made with the presidign officers of the several departments of Government, the problem is easily solved. By doing so, no interruption will be caused to the regular conduct of the ordinary course of business in the various departments of the State, as the number of cases in which the presence of Mahomedans as parties and witnesses is required will not, I hope, be more than five per cent.

Another fact I wish to bring to the notice of this Council in connection with my resolution is that my prayer for making Friday a holiday is purely for religious purposes and not for enjoying the day as a day for amusement.

MR. A. HOOGEWERF (*Nominated*): Does Mr. Khadir Pillai want a holiday for the Mahomedan students also?

MR. M. K. KHADIR PILLAI (*Nominated*): No.

PRESIDENT: If it is a holiday for Mahomedans generally, it will cover Mahomedan students also.

MR. M. K. KHADIR PILLAI (*Nominated*): No, Sir; I do not mean that.

MR. PAUL V. DANIEL (*Agastiswaram*): May I know if my friend wants to give a holiday to a Mahomedan Judge for the whole day?

MR. M. K. KHADIR PILLAI (*Nominated*): A whole day is not necessary. The courts will be situated in towns; he can go to the mosque and come back in an hour.

MR. A. HOOGEWERF (*Nominated*): May I know what he proposes for Mahomedan teachers?

MR. M. K. KHADIR PILLAI (*Nominated*): I do not say that they must be exempted, because almost all the schools will be in towns.

MR. A. HOOGEWERF (*Nominated*): Does he not want to give the benefit of the holiday to the teachers?

MR. M. K. KHADIR PILLAI (*Nominated*): No, not for the whole day.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Do I understand Mr. Khadir Pillai to suggest that, in places where there are no Mahomedan mosques, they should have a full holiday, while, in other places such as towns, no full holiday need be given?

MR. M. K. KHADIR PILLAI (*Nominated*): No, not so. I shall explain. At Perumbavur, there is a Munsiff's court; the jurisdiction goes to about 30 or 40 miles. If a Mahomedan is summoned to go to Perumbavur, he will have to go early in the morning and can return home only in the evening. There is no mosque at Perumbavur.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): So he requires a full holiday.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. K. KHADIR PILLAI (*Nominated*): I hope the foregoing reasons will sufficiently convince this House of the reasonableness of my resolution, and they will spare no pains to make my efforts a success.

I therefore earnestly request the honorable members of both sides of this House to assist me in achieving my long-cherished desire and thus confer upon all the Mahomedans of this State a boon which will help them to extricate themselves from their present anomalous position, and win the gratitude of a most loyal and law-abiding section of the subjects of His Highness the Maha Raja, our benevolent sovereign.

PRESIDENT: Is the resolution seconded?

MR. PAUL V. DANIEL (*Agastisvaram*): I am going to second it. In the light of the speech made by my friend Mr. Khadir Pillai and in the light of the answers given by him to the various questions which were asked by the members of this Council, I beg to second the motion.

PRESIDENT: Do you second the motion as it is on the agenda?

MR. PAUL V. DANIEL (*Agastisvaram*): No, not exactly as it is.

PRESIDENT: That is not the rule. You must second the resolution as it is.

MR. PAUL V. DANIEL (*Agastisvaram*): Then I beg to second the resolution as it is, so that I may offer it before the House for discussion.

MR. A. HOOGEWERF (*Nominated*): Sir, as I said before, my position with regard to my two neighbours is a difficult one. (*Laughter.*) The other day I had to oppose my left-hand neighbour's proposition about cow-killing. There, I had to deal with the religious, the economic and the humanitarian aspects of the question. To-day it is only the religious aspect that has to be considered.

To come to the point, I am sorry I have to oppose the motion as it stands. From the answers elicited from Mr. Khadir Pillai, it will appear that what he wants is a concession only in the case of witnesses and clients who have to come from distant places. He wants others who live in towns to be exempted only between 12 o'clock and 2 o'clock. The Mahomedan Sabbath does not appear to be the same as the Christian and Jewish Sabbaths. The Christian Sabbath begins from 12 o'clock on Saturday night and ends at 12 o'clock on Sunday night. The Jewish Sabbath begins from 6 o'clock on Friday evening and closes at 6 o'clock on Saturday evening as is seen from the Jews closing and opening their shops at those hours.

I do not know what the Koran says with regard to the Mahomedan Sabbath. But it is only the noon service, it appears, that has to be attended and schoolboys are not obliged to attend it, whereas, among Christians, children above the age of seven have to attend the divine service on Sundays and other holy days. I also see the Chalai

LIBRARY ARCHIVES Kerala Legislative Assembly

[Rev. Fr. Kuriakose Vettikkapalli.]

bazaar opening soon after the mosque service at 2 o'clock. So, the question practically comes to this, namely, that Mahomedans in towns should have two hours' concession, and clients living far away from towns should not be obliged to attend courts, etc., on Fridays. Otherwise, the motion, as it stands, is impracticable. While Christians and Hindus have to work for six days in the week, Mahomedans will have only to work for five days. The Director of Public Instruction will raise a hue and cry if Mahomedan teachers do not attend school on Fridays and leave the classes to look after themselves. Coming to a judge or a magistrate, the cases in the court will suffer if they are to work only five days in the week. This difficulty has to be faced. I am glad to see Mr. Khadir Pillai reducing his motion to a more modest one.

MR. M. N. PILLAI (*Trivandrum*): May I know what the practice in British India is?

PRESIDENT: Mr. M. N. Pillai wants to know what the practice in British India is.

MR. A. HOOGEWERF (*Nominated*): I do not know.

PRESIDENT: Mr. Hoogewerf says he does not know.

MR. M. N. PILLAI (*Trivandrum*): I want to know it from Mr. Khadir Pillai.

PRESIDENT: You can ask him a question only when he is replying.

MR. A. HOOGEWERF (*Nominated*): I support the motion with the qualification that clients and others who are in towns may be asked to attend only after 2 o'clock and others living at a distance may not be forced to attend the court on Fridays, while the Mahomedans in public offices may be allowed to attend service between 12 and 2 and make up the two hours earlier in the day, because it is not fair that non-Mahomedans should work for more hours during the week than their Mahomedan brethren.

REV. FR. KURIAKOSE VETTIKKAPALLI (*Todupuzha cum Kunnatnad*): Sir, I have the greatest respect for the religious sentiments of other communities. But from what I understood, Mr. Khadir Pillai has not succeeded in proving that the Mahomedan religion requires of its adherents an entire rest on Fridays or that it prohibits all kinds of work on that day. All he said was that attendance in the mosque at a particular time on that day is required by their religion; and, if my information is correct, I understand some provisions have been made and some circulars have been sent to the effect that all convenience and facilities should be afforded to the Mahomedans in the public service to fulfil this duty. So I do not see the necessity for granting a further concession as now required by the member.

Further, I beg to say that it will not only dislocate business in the public service as well as in the schools, but it will also be against the interests of the community itself, because the authorities, I am sure,

LIBRARY ARCHIVES Kerala Legislative Assembly

will think twice before they take into service persons who work only five days instead of the usual six days in the week. Under these circumstances, I am sorry I have to oppose the resolution.

MR. A. GOVINDA MENON (*Alangad* cum *Parur*): Coming from a constituency where there is a good number of Mahomedans and being specially requested by many of them, I think that, in spite of the fact that my friend Mr. Khadir Pillai has chosen this nick of time for advancing a religious question, it is my duty, whose religion has been represented to be the most tolerant of all the religions in the world, to side with my friend in fully supporting his resolution.

Sir, some of my friends who opposed the resolution bring in a plea that the adding of one more holiday to the usual holidays will not be convenient or conducive to efficiency. I do not think that kind of argument will hold good. For, if Christians and Hindus can be given any number of holidays, I do not see why these people who form but a small minority in the State should not be given the facility which my friend asks.

MR. A. HOOGEWERF (*Nominated*): Will not the Mahomedan Government servants have to work only five days instead of six days like all others?

MR. A. GOVINDA MENON (*Alangad* cum *Parur*): No. He never asked that all the officials should be given full holidays.

PRESIDENT: But the resolution means that, Mr. Govinda Menon.

MR. A. GOVINDA MENON (*Alangad* cum *Parur*): For my part, I fully support the resolution. Mahomedans have got every right to demand a holiday, because, according to the quotations given by my friend, it is our bounden duty to see that each religion is treated as we would expect our religion to be treated by other people.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): As I was listening to Mr. Khadir Pillai, I concluded that his real requirement was that Mahomedan parties and witnesses might be exempted from attendance on Fridays. If he is prepared to modify his original resolution on the lines developed in the discussion, I think the House may whole-heartedly support his motion.

MR. M. K. KHADIR PILLAI (*Nominated*): I accept the amendment.

PRESIDENT: Mr. Krishna Aiyangar does not propose any amendment.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): As I was listening to him, Sir, I felt that it was a real difficulty that the Mahomedan community had to face in the matter of attendance at Friday service. Though the resolution as stated is a very large measure, I felt that his requirement would be satisfied if the House accepted a modified resolution that Mahomedan parties and witnesses should be exempted from appearing in public offices on Fridays. If he is allowed to modify his original resolution on those lines, I think there is absolutely no objection to the House accepting it.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. P. K. Narayana Pillai.]

PRESIDENT: But even in regard to that proposition, there are other aspects to be considered.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): I am merely suggesting what strikes me as a satisfactory solution of the minimum requirement of the Mahomedan community without seriously dislocating public work.

PRESIDENT: You would perhaps like to hear what the official side has to say.

MR. R. KRISHNA PILLAI (*Chief Secretary to Government*): Sir, I beg to oppose the resolution in its present shape. The object of the mover in urging the Government to declare Friday as a public holiday in the case of Mahomedans is to enable them to go to the mosque and join in the *jama* prayer. It is true that that prayer is obligatory on all Mahomedans and that it is looked upon by them as particularly sacred. But the question is whether a full day is absolutely necessary for saying the prayer. The mover himself concedes that they need not have a full holiday except in the case of the people living in places where there are no mosques. Yesterday was a Friday and the mover who is an orthodox Mahomedan was able to attend the Council the whole day, except for a few intervals.

So far as courts and public offices are concerned, Government have laid down that leave of absence for one hour should be allowed to all Mahomedan parties and witnesses and such of the Mahomedan employees as may apply for it, the period being fixed with reference to the time at which prayers are said in the local mosques. In the case of Mahomedan pupils, the noon-day interval is fixed at two hours. Thus, every reasonable facility is being given to Mahomedans to offer their prayers on Fridays. Friday is not a holiday in British India, Mysore or Cochin. That being the case, Government are not satisfied as to the necessity for allowing Friday as a full holiday for Mahomedans. Government, however, have no objection to request the High Court to consider the desirability of not summoning witnesses and parties on Fridays as far as possible. In view of this assurance, I hope the mover will find his way to withdraw the resolution.

MR. M. K. KHADIR PILLAI (*Nominated*): With the assurance that (*louder, please*) the High Court will be requested—

PRESIDENT: The High Court will be requested to consider the desirability of instructing the courts not to summon Mahomedan witnesses and parties on Fridays, as far as possible.

MR. M. K. KHADIR PILLAI (*Nominated*): "As far as possible" should be removed.

PRESIDENT: That is what is stipulated on behalf of the Government.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know, when there is an urgent necessity to arrest a person under warrant on a Friday, whether Mr. Khadir Pillai would object to that person being arrested on that day?

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT : "As far as possible" is absolutely necessary to provide for such exceptional cases. Are you prepared to withdraw the resolution ?

MR. M. K. KHADIR PILLAI (*Nominated*) : Yes.

The resolution was by leave withdrawn.

Revision of the Constitution of the Sri Mulam Popular Assembly.

PRESIDENT : Mr. Kunjitomman's resolution is as follows :

This Council recommends to the Government that, with a view to enhance the usefulness of the Sri Mulam Popular Assembly and in order to make it more representative, all persons paying a yearly tax of one rupee or more be empowered to vote and that the Assembly be given the power to interpellate and move resolutions on all administrative matters.

MR. TARIATU KUNJITOMMAN (*Muvattupzha*) : ശ്രീമൂലം പ്രജാസഭയുടെ പ്രയോജനത്തേയും പൊതുജനപ്രാതിനിധ്യത്തേയും അഭിവൃദ്ധിപ്പെടുത്തുന്നതിനായി ഒരു കൃപാ കരംതീരുവയുള്ളവക്കെല്ലാം മെമ്പറന്മാരെ തിരഞ്ഞെടുക്കുന്നതിനു സ്വാതന്ത്ര്യം നല്കുണമെന്നും പ്രജാസഭയിൽ ചോദ്യങ്ങൾ ചോദിക്കുന്നതിനും പ്രമേയങ്ങൾ അവതരിപ്പിക്കുന്നതിനും അവകാശം നല്കുണമെന്നും ഈ യോഗം ഗവർൺമെൻറിനോട് ശിപാർശചെയ്യുന്നു. ഇതാണ് എന്റെ പ്രമേയം.

ഒന്നാമതായി ഒരുകൃപാ കരംതീരുവയുള്ളവക്കുകൂടി വോട്ടവകാശം കൊടുക്കണമെന്നുള്ളതിന്റെ കാരണത്തെപ്പറ്റി പ്രസ്താവിക്കാം. രാജ്യത്തെ ജനങ്ങളിൽ വലിയ പങ്കും ഇപ്പോഴത്തെ നിലയിലുള്ള വോട്ടവകാശം ഇല്ലാത്തവരാണ്.

പ്രഭുക്കളുടേയോ അല്ലെങ്കിൽ ധനവിഷയത്തിൽ ഔന്നത്യമുള്ള ചില സമുദായക്കാരുടേയോ പ്രതിനിധികളാണ് ഇപ്പോൾ ശ്രീമൂലംപ്രജാസഭയിലധികമുള്ളത്. ഗവർൺമെൻറിൽ നിന്നും താഴ്ന്നസമുദായത്തിൽപെട്ട ചിലരെ കൂടി തിരഞ്ഞെടുക്കുന്നുണ്ടെങ്കിലും അവർ ആ സമുദായാംഗങ്ങളാൽകൂടി തിരഞ്ഞെടുക്കപ്പെടുന്നവരല്ല. കഴിയുന്നതും എല്ലാ വർഗ്ഗക്കാർക്കും എല്ലാ സ്ഥിതിയിലുള്ളവർക്കും ശ്രീമൂലംപ്രജാസഭയിൽ തങ്ങളുടെ പ്രതിനിധികളുണ്ടെന്ന് അഭിമാനിക്കത്തക്കവണ്ണം വ്യവസ്ഥചെയ്യേണ്ടതാവശ്യമാണ്. പുലയർ, പറയർ മുതലായവർക്കും എല്ലാവർഗ്ഗത്തിലുമുള്ള സാമാന്യജനങ്ങൾക്കും തങ്ങളുടെ കാര്യങ്ങളിൽശ്രദ്ധിക്കുന്നതിനു തങ്ങൾക്കുകൂടി തിരഞ്ഞെടുത്തിട്ടുള്ള പ്രതിനിധികൾ ഉണ്ടെന്നു വിചാരിക്കു

LIBRARY ARCHIVES Kerala Legislative Assembly